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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

LARRY TOTTON, JOSE MORENO, in) No. C 04 4327 PJH
their capacities as Trustees of the LABORERS)
HEALTH AND WELFARE TRUST FUND)
FOR NORTHERN CALIFORNIA; LABORERS)
VACATION-HOLIDAY TRUST FUND FOR)
NORTHERN CALIFORNIA; LABORERS) **PLAINTIFFS' EX PARTE**
PENSION TRUST FUND FOR NORTHERN) **APPLICATION TO VACATE**
CALIFORNIA; and LABORERS TRAINING) **DEBTOR'S EXAMINATION;**
AND RETRAINING TRUST FUND FOR) **~~PROPOSED~~ ORDER**
NORTHERN CALIFORNIA,)
)
Plaintiffs,)
)
)
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v.)
)
)
REMEDICATION CONSTRUCTORS, INC., A)
California Corporation, doing business as)
REMCON, INC.,)
)
)
Defendant.)

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1 **TO: The Clerk of Court and Stephen B. Christensen, Remediation Constructors, Inc., a**
2 **California Corporation doing business as Remcon, Inc.:**

3 Plaintiffs hereby request that the Debtor's Examination scheduled for Wednesday, March
4 28, 2007 at 9:30 a.m. be vacated.

5 Defendant has provided Plaintiffs with information indicating that Defendant has been out
6 of business for some time and had liquidated all assets to pay off prior debts. Plaintiffs believe that
7 they will be unable to locate any funds at this time to satisfy the Judgment obtained in this case.
8 Accordingly, Plaintiffs request that the Court vacate the Debtor's Examination scheduled for
9 Wednesday, March 28, 2007 at 9:30 a.m.

10 The above stated facts are set forth in the accompanying declaration of Concepción E.
11 Lozano-Batista in Support of Ex Parte Application to Vacate Debtor's Examination, filed herewith.

12 Dated: February 26, 2007

13 WEINBERG, ROGER & ROSENFELD
14 A Professional Corporation

15 By: _____/s/_____
16 CONCEPCIÓN E. LOZANO-BATISTA

106989/449764

17 **ORDER VACATING DEBTOR'S EXAMINATION**

18 Based upon the foregoing Ex Parte Application to Vacate Debtor's Examination and
19 Declaration of Concepción E. Lozano-Batista in Support thereof, the Court orders that the debtor's
20 examination scheduled for Wednesday, March 28, 2007 at 9:30 a.m. be vacated. ~~XXXXXX~~
21 ~~XXXXXX~~

22 ~~XXXXXX~~

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25 Dated: February 28, 2007

26 HONORABLE
27 JUDGE

